

DESIGNATION OF JAMES M. ASHLEY AND THOMAS W.L.  
ASHLEY UNITED STATES COURTHOUSE

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NOVEMBER 15, 2007.—Referred to the House Calendar and ordered to be printed

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Mr. OBERSTAR, from the Committee on Transportation and  
Infrastructure, submitted the following

R E P O R T

[To accompany H.R. 3712]

[Including cost estimate of the Congressional Budget Office]

The Committee on Transportation and Infrastructure, to whom was referred the bill (H.R. 3712) to designate the Federal building and United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. & Thomas W.L. Ashley Customs Building and United States Courthouse”, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. DESIGNATION.**

The United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, shall be known and designated as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

**SEC. 2. REFERENCES.**

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

Amend the title so as to read:

A bill to designate the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

## PURPOSE OF THE LEGISLATION

H.R. 3712, as amended, designates the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

## BACKGROUND AND NEED FOR LEGISLATION

James Monroe Ashley (1824–1896) was born in Pittsburgh, Pennsylvania, and moved to Portsmouth, Ohio, with his family at the age of four. In his thirties, he moved to Toledo, Ohio, and helped organize the Ohio Republican party.

Representative Ashley had a distinguished career in public service which included five terms as a Representative from Ohio and later as Governor of Montana. He was elected to his first term in Congress in 1858. During the American Civil War, Representative Ashley was the first Member of Congress to call for an amendment to the United States Constitution that would outlaw slavery. His amendment is recognized as the antecedent of the Thirteenth amendment of the Constitution, which abolished slavery within the United States and its territories. As Chairman of the House Committee on Territories, Representative Ashley led the Congressional effort to organize the territorial governments of Nevada, Idaho, Arizona, Wyoming, and Montana. He was also the author of the enabling acts to establish the Territories of Nebraska, Colorado, and Nevada, in which he included provisions that prevented the establishment of slavery in these territories without the consent and approval of Congress.

After serving in Congress, Governor Ashley became the governor of the Montana Territory and served until 1870. He then moved into the private sector, where he was instrumental in building the Toledo, Ann Arbor, & North Michigan Railroad.

Thomas William Ludlow Ashley is the great grandson of former Governor James M. Ashley. Born in 1923, Representative Thomas Ashley served in the United States Army during the Second World War. He went on to graduate from Yale University in 1948 and from Ohio State University Law School in 1951.

In 1954, Representative Ashley was elected to the first of the 13 terms that he would eventually serve in Congress. During his time in Congress, Representative Ashley served as Chairman of the Select Committee on Energy, Chairman of the Committee on Merchant Marine and Fisheries, and Assistant Majority Whip. In 1977, Speaker Thomas P. “Tip” O’Neill established a Select Committee on Energy and appointed Representative Ashley to chair the Committee. The Select Committee on Energy compiled energy legislation, based on bills reported by several House committees in response to President Jimmy Carter’s legislative proposal. In addition, Representative Ashley was the primary sponsor of P.L. 89–117, which directed the Federal Government to assist in the provision of housing for low- and moderate-income families. This law was the precursor to the creation of the Department of Housing and Urban Development.<sup>1</sup>

Given the Ashleys’ dedication to public service through the generations, it is both fitting and proper to designate the United

<sup>1</sup> Roger Szernraj, Representatives James M. Ashley and Thomas William Ludlow Ashley. Congressional Research Service. June 20, 2007.

States courthouse in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

#### SUMMARY OF THE LEGISLATION

##### *Section 1. Designation*

Section 1 designates the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

##### *Section 2. References*

Section 2 clarifies that any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in Section 1 shall be deemed to be a reference to the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

#### LEGISLATIVE HISTORY AND COMMITTEE CONSIDERATION

On October 1, 2007, Representative Kaptur introduced H.R. 3712.

On October 30, 2007, the Subcommittee on Economic Development, Public Buildings, and Emergency Management met in open session to consider H.R. 3712. The Subcommittee adopted an amendment in the nature of substitute to make technical corrections to the bill. The Subcommittee recommended the bill, as amended, favorably to the Committee on Transportation and Infrastructure by voice vote with a quorum present.

On October 31, 2007, the Committee on Transportation and Infrastructure met in open session, and ordered H.R. 3712, as amended, reported favorably to the House by voice vote with a quorum present.

#### RECORD VOTES

Clause 3(b) of rule XIII of the House of Representatives requires each committee report to include the total number of votes cast for and against on each record vote on a motion to report and on any amendment offered to the measure or matter, and the names of those members voting for and against. There were no recorded votes taken in connection with the amendment to H.R. 3712 or ordering H.R. 3712, as amended, reported. A motion to order H.R. 3712, as amended, reported favorably to the House was agreed to by voice vote with a quorum present.

#### COMMITTEE OVERSIGHT FINDINGS

With respect to the requirements of clause 3(c)(I) of rule XIII of the Rules of the House of Representatives, the Committee’s oversight findings and recommendations are reflected in this report.

#### COST OF LEGISLATION

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to the filing of the report and is included in the report. Such a cost estimate is included in this report.

## COMPLIANCE WITH HOUSE RULE XIII

1. With respect to the requirement of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, and 308(a) of the Congressional Budget Act of 1974, the Committee references the report of the Congressional Budget Office included in the report.

2. With respect to the requirement of clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goal and objective of this legislation is to designate the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”.

3. With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the enclosed cost estimate for H.R. 3712, as amended, from the Director of the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, November 1, 2007.*

Hon. James L. Oberstar,  
*Chairman Committee on Transportation and Infrastructure,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed the following bills as ordered reported by the House Committee on Transportation and Infrastructure on October 31, 2007:

- H.R. 3712, a bill to designate the United States courthouse located at 1716 Spielbusch Avenue in Toledo, Ohio, as the “James M. Ashley and Thomas W.L. Ashley United States Courthouse”; and
- H.R. 3315, a bill to provide that the great hall of the Capitol Visitor Center shall be known as “Emancipation Hall.”

CBO estimates that enactment of these bills would have no significant impact on the federal budget and would not affect direct spending or revenues. These bills contain no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments. If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

ROBERT A. SUNSHINE  
(For Peter R. Orszag, Director).

## COMPLIANCE WITH HOUSE RULE XXI

Pursuant to clause 9 of rule XXI of the Rules of the House of Representatives, H.R. 3712, as amended, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI of the Rules of the House of Representatives.

## CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause (3)(d)(1) of rule XIII of the Rules of the House of Representatives, committee reports on a bill or joint resolution

of a public character shall include a statement citing the specific powers granted to the Congress in the Constitution to enact the measure. The Committee on Transportation and Infrastructure finds that Congress has the authority to enact this measure pursuant to its powers granted under article I, section 8 of the Constitution.

#### FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act (Public Law 104-4).

#### PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any Committee on a bill or joint resolution to include a statement on the extent to which the bill or joint resolution is intended to preempt state, local, or tribal law. The Committee states that H.R. 3712, as amended, does not preempt any state, local, or tribal law.

#### ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act are created by this legislation.

#### APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Public Law 104-1).

#### CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

H.R. 3712, as amended, makes no changes in existing law.

